

MISCELLANEOUS CASE COVER SHEET

3/2011

PLAINTIFFS

Securities Investor Protection Corporation

Attorney's (Firm Name, Address, and Telephone Number)

Becker & Poliakoff LP, 45 Broadway, New York, NY 10006
(212) 599-3322; Attorneys for Appellants

DEFENDANTS

Bernard L. Madoff Investment Securities LLC

Attorneys (If Known)

Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111
(212) 589-4200
Attorneys for Trustee

DESCRIPTION OF CASE

28 USC 158, appeal of an Order denying motion to compel the Trustee to produce financial information of BLMIS

Has this or a similar case been previously filed in SDNY ?

No? ☒ Yes? ☐ Judge Previously Assigned _____If yes, was this case: Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐

If yes, give date _____ & Case No. _____

NATURE OF CASE

- ☐ M 08-65 Letters Rogatory - Cuba
☐ M 08-85 Motion to Compel
☐ M 08-85 Motion to Quash
☐ M 08-86 Internet Infringement
☐ M 08-88 Surety Companies
☐ M 08-425 Sureties Proceedings
☐ M 09-282 Attorney Change of Name
☐ M 09-342 Letters Rogatory - Costa Rica
☐ M 09-372 Letters Rogatory - Spain
☐ M 10-7 Letters Rogatory - Argentina
☐ M 10-63 Letters Rogatory - Sweden
☐ M 11-03 SEC Litigation to Freeze Account
☐ M 11-120 Letters Rogatory - Mexico
☐ M 11-188 Subpoenas - Habeas Corpus
☐ M 11-189 Subpoenas - Habeas Corpus
☐ M 12-160 Letters Rogatory - Canada
☐ M 12-329 Letters Rogatory - Italy
☐ M 13-72 Letters Rogatory - Brazil
☐ M 15-306 Letters Rogatory - Puerto Rico
☐ M 15-377 Letters Rogatory - Venezuela
☐ M 16-59 Letters Rogatory - Czech Republic
☐ M 16-88 Sale of Unclaimed Seamen's Effects
☐ M 16-286 Letters Rogatory - Guatemala
☐ M 16-347 Letters Rogatory - Columbia
☐ M 18-66 Forfeiture Proceedings - Funds Held in trust. 28 USC 1746
☐ M 18-113 Letters Rogatory - Tanzania
☐ M 18-117 Letters Rogatory - Poland
☐ M 18-302 Registration of a Judgment From Another District
☐ M 18-304 Administrative Subpoena Proceedings
☐ M 18-305 Registration of Student Loan Judgment
☐ M 18-981 Nonjudicial Civil Forfeiture Proceeding
☐ M 19-4 Letters Rogatory - Jamaica
☐ M 19-5 Letters Rogatory - Trinidad & Tobago
☐ M 19-25 Order Authorizing IRS Officer to Enter Premises for Levy
☐ M 19-42 Letters Rogatory - Egypt
☐ M 19-43 Letters Rogatory - Estonia
☐ M 19-51 Letters Rogatory - Algeria
☐ M 19-58 General Bonds in Admiralty Purs. to Local Admiralty Rule 8
☐ M 19-60 Letters Rogatory - Bulgaria
☐ M 19-63 Receivers - Property in Other Districts
☐ M 19-67 Letters Rogatory - Chile
☐ M 19-70 Letters Rogatory - France
☐ M 19-71 Letters Rogatory - Thailand

- ☐ M 19-73 Letters Rogatory - Austria
☐ M 19-76 Letters Rogatory - Turkey
☐ M 19-77 Letters Rogatory - Arabia
☐ M 19-78 Denial to Sue In Forma Pauperis
☐ M 19-80 Letters Rogatory - Morocco
☐ M 19-82 Letters Rogatory - Japan
☐ M 19-83 Letters Rogatory - Australia
☐ M 19-84 Letters Rogatory - Switzerland
☐ M 19-85 Letters Rogatory - Denmark
☐ M 19-86 Letters Rogatory - India
☐ M 19-88 Letters Rogatory - Germany
☐ M 19-89 Letters Rogatory - Guinea
☐ M 19-90 Letters Rogatory - Norway
☐ M 19-91 Letters Rogatory - West Pakistan
☐ M 19-92 Letters Rogatory - Bahamas
☐ M 19-96 Letters Rogatory - Great Britain
☐ M 19-98 Letters Rogatory - Somalia
☐ M 19-99 Letters Rogatory - Netherlands
☐ M 19-101 Letters Rogatory - Aruba
☐ M 19-102 Letters Rogatory - Peru
☐ M 19-103 Letters Rogatory - Andorra
☐ M 19-104 Letters Rogatory - Brussels
☐ M 19-106 Letters Rogatory - Mauritania
☐ M 19-107 Letters Rogatory - Luxembourg
☐ M 19-109 Letters Rogatory - Portugal
☐ M 19-110 Letters Rogatory - Israel
☐ M 19-111 Letters Rogatory - Ecuador
☐ M 19-112 Letters Rogatory - Ireland
☐ M 19-113 Letters Rogatory - Haiti
☐ M 19-114 Letters Rogatory - Greece
☐ M 19-115 Letters Rogatory - Belgium
☐ M 19-116 Letters Rogatory - Russia
☐ M 19-117 Letters Rogatory - Hong Kong
☐ M 19-118 Letters Rogatory - Bermuda
☐ M 19-119 Letters Rogatory - Monaco
☐ M 19-120 Letters Rogatory - Hungary
☐ M 19-121 Letters Rogatory - Lithuania
☐ M 19-122 Letters Rogatory - Latvia
☐ M 19-123 Letters Rogatory - Finland
☐ M 19-130 Letters Rogatory - Kazakhstan
☐ M 19-131 Letters Rogatory - Dabal
☐ M 19-132 Letters Rogatory - New Zealand
☐ M 19-133 Letters Rogatory - Belarus

08-1789 #4203 6/30/11
8/5/11

NATURE OF CASE CONTINUED

- ☐ M 19-134 Letters Rogatory - Cyprus
- ☐ M 19-135 Letters Rogatory - South Africa
- ☐ M 19-136 Letters Rogatory - Jersey
- ☐ M 19-137 Letters Rogatory - Antigua
- ☐ M 19-138 Letters Rogatory - Saint Vincent Grenadines
- ☐ M 19-139 Letters Rogatory - British Virgin Islands
- ☐ M 19-141 Letters Rogatory - Korea
- ☐ M 19-143 Letters Rogatory - Liechtenstein
- ☐ M 19-145 Letters Rogatory - Slovak Republic
- ☐ M 19-146 Letters Rogatory - China
- ☐ M 19-148 Letters Rogatory - Anguilla
- ☐ M 19-151 Letters Rogatory - Ukraine
- ☐ M 19-152 Letters Rogatory - Croatia
- ☐ M 19-155 Letters Rogatory - Special Court for Sierra Leone
- ☐ M 19-156 Letters Rogatory - Moldova
- ☐ M 19-193 Letters Rogatory - Yugoslavia
- ☐ M 19-194 Letters Rogatory - Philippines
- ☐ M 19-195 Letters Rogatory - Pakistan
- ☐ M 19-196 Letters Rogatory - Zimbabwe
- ☐ M 19-197 Letters Rogatory - Nigeria
- ☐ M 19-198 Letters Rogatory - Namibia
- ☐ M 19-199 Letters Rogatory - Indonesia
- ☐ M 19-200 Letters Rogatory - Zambia
- ☐ M 19-201 Letters Rogatory - Romania
- ☐ M 19-300 Letters Rogatory - Uruguay
- ☐ M 19-301 Letters Rogatory - Uganda
- ☐ M 19-302 Letters Rogatory - Singapore
- ☐ M 19-303 Letters Rogatory - Mauritius
- ☐ M 19-305 Letters Rogatory - Panama
- ☐ M 19-373 Letters Rogatory - Vietnam
- ☐ M 19-374 Letters Rogatory - Cayman Islands
- ☐ M 19-376 Letters Rogatory - Kenya
- ☐ M 19-378 Letters Rogatory - Azerbaijan
- ☐ M 19-379 Letters Rogatory - Guam
- ☐ M 19-380 Letters Rogatory - Paraguay
- ☐ M 19-382 Letters Rogatory - Bangladesh
- ☐ M 19-383 Letters Rogatory - Albania
- ☐ M 19-384 Letters Rogatory - Malawi
- ☐ M 19-385 Letters Rogatory - Montenegro
- ☐ M 19-386 Letters Rogatory - Seychelles
- ☐ M 22-1 Designation by U.S. Attorney of Individual to accept service of summons and complaint
- ☐ M 22-2 Designation of individual to issue certified copies in bankruptcy part
- ☐ M 23 Petition to Perpetuate Testimony
- ☐ M 25-1 Order for Entry to Effect Levy - IRS Matter
- ☐ M 25-2 Permission to have access to safe deposit boxes
- ☐ M 26-1 Proceeding to Enforce Order of Administrator - National Credit Union
- ☐ M 26-2 Application to Enforce Administrative Order Rule 5A Rule of Division of Business among District Judges
- ☐ M 28 Warrant for Entry & Inspection of Premises
- ☐ M 29 Privacy Act Application
- ☐ M 30 Privacy Act Application
- ☐ M 31 Order of Commodity Exchange Commission Directing Person to Pay Money
- ☐ M 32 Petition for Writ to Produce Federal Prisoner in State Court
- ☐ M 33 Inspection Warrant - Department of Energy
- ☐ M 34 Order of Another District Court that the State Court Produce
- ☐ M 35 Order to Stay Transfer of Federal Prisoner
- ☐ M 36 National Labor Relations Board
- ☐ M 37 Application to Re-Open Civil Case(s) that are more than 25 years old
- ☐ M 38 Application for Reassignment of Bankruptcy Proceeding
- ☐ M 39 Application for Discovery and Inspection of Defendant Detained in Federal Prison
- ☐ M 41 Order of Return of 28:2254/2255 Petition
- ☐ M 42 Order Denying Stay of Deportation
- ☐ M 43 Contempt of Court in Bankruptcy
- ☐ M 44 Claim Compensation under Longshoremen's & Harbor Workers Compensation Act
- ☐ M 46 Order From Another District for Public Viewing
- ☐ M 47 Bankruptcy Cases - Before Appeal Filed
- ☐ M 47B Transmission of Proposed Findings of Fact and Conclusions of Law
- ☐ M 48 Application for Appointment of Counsel - No Case In This Court
- ☐ M 49 Order Denying Commencement of Civil Action
- ☐ M 51 Order to Show Cause - Case Being Transferred from Northern District of New York
- ☐ M 52 Application for Leave to File a Complaint
- ☐ M 53 Order Barring Individual from Entering Courthouse Building
- ☐ M 54 Immigration Naturalization - Order Delaying Deportation
- ☐ M 55 Petition for Appointment of Impartial Umpire - Labor Management Relations Act and Others
- ☐ M 58 Application for Extension of Time to File Petition for Removal
- ☐ M 59 Application to Produce Federal Prisoner in State Court
- ☐ M 67 Notice of Eviction to Squatters (USA Cases)
- ☐ M 70 Asbestos Litigation - SDNY
- ☐ M 71 Application re: Federal Rules Cr. 11(e)(2)
- ☐ M 72 Order of Attachment of Another District - EDNY
- ☐ M 73 Subpoena to Government Agency
- ☐ M 75 Application for Writ of Garnishment
- ☐ M 76 Central Violations Bureau
- ☐ M 77 Application to have subpoena issued to person living in this district regarding action in foreign country or tribunal
- ☐ M 87 Order Returning Fees in Miscellaneous Matters
- ☐ M 88 Order Denying Leave to File Civil Case(s) Under Seal
- ☐ M 90 Order of Attachment
- ☒ Other (Please Specify) Appeal 28 USC 158

DO YOU CLAIM THIS CASE IS RELATED TO A MISCELLANEOUS CASE NOW PENDING IN THE SDNY?
IF SO, STATE:

JUDGE Honorable Judge Rakoff MISCELLANEOUS CASE NUMBER 11-3775

NOTE: Please submit at the time of filing an explanation of why cases are deemed related

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Appellants:

Marsha Peshkin and over 800 Other Customers of Bernard L. Madoff Investment Securities LLC as listed on Exhibit A to the Chaitman Declaration; Becker & Poliakoff, 45 Broadway, New York, NY 10006

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Appellee:

Irving H. Picard, as Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC; Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, NY 10111

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

CHECK ONE: THIS ACTION SHOULD BE ASSIGNED TO



WHITE PLAINS



MANHATTAN

DATE 7/25/2011

SIGNATURE OF ATTORNEY OF RECORD



ADMITTED TO PRACTICE IN THIS DISTRICT



U.S. GOVERNMENT ATTORNEY



NO



YES (DATE ADMITTED MO. 6 YR. 1978)

ATTORNEY BAR CODE# HC4266

RECEIPT #

Ruby J. Krajick, Clerk of Court, by _____, DATED _____

NOTES:

Civil Cover Sheet Addendum: Explanation of Relatedness

Movants submit that this appeal raises an issue which is before Judge Rakoff in *Picard v. Greiff*, No. 11 civ. 3375 (JSR).